



DEPARTMENT OF THE ARMY
UNITED STATES ARMY GARRISON ANSBACH
UNIT 28614
APO AE 09177

AETV-WG-A

13 Sep 2004

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Control and Disposition of Unregistered, Unclaimed, and Abandoned Privately Owned Vehicles (POVs), Policy Letter #15

1. REFERENCES:

- a. Title 10, U.S. Code, Section 2575.
- b. DOD 4160.21-M Manual, Chapter 1, Section 61.
- c. AR 55-71, Transportation of Personal Property and related services
- d. AR 190-5, Motor Vehicle Traffic Supervision, Chapter 6.
- e. AR 215-1, Morale, Welfare, and Recreation activities and non appropriated fund and instrumentalities, Chapters 7 and 12.
- f. AE Reg 10-20, Community Command.
- g. AE Reg 210-26, Clearance by Departing Personnel.
- h. AE Reg 190-1, License to Operate and Registration of Privately Owned Motor Vehicles in the Federal Republic of Germany, 8 January 2004.
- i. AE Reg 600-1, Regulated Activities of Members of the U.S. Forces, the Civilian Component, and Family Members

2. PURPOSE. To prescribe policy, procedures, and responsibilities for control and disposition of POVs that are unregistered, unclaimed, or abandoned in the 235th BSB area of responsibility, and to establish guidelines for unit commanders.

3. SCOPE. This policy details procedure after the Military Police have identified a vehicle that meets impound criteria IAW AR 190-5 and AE 190-1. Procedures within AR 190-5, DOD 160.21M Manual provide the basic framework. Title 10, U.S. Code, Section 2575, and AR 215-1 provide procedures to allow MWR to accept donations of vehicles from owners. This policy outlines the responsibilities of the AST Managers, PMO, DCA/CRD, Boards of Officers, DOL, SJA, unit commanders, and individuals.

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4. APPLICABILITY. To all owners of USAREUR registered POVs including: military personnel, family members, DOD civilian employees to include NAF employees, long and short-term contractors, retirees, and “non-affiliated” civilians in the 235th BSB area of responsibility.

5. GENERAL.

a. Registering and operating a POV in USAREUR is a privilege, not a right. Individuals who violate the governing regulations for owning and operating a POV are subject to punishment or administrative actions. Abandoning a vehicle violates German law, Army Europe Regs 190-1 and 600-1, and is punishable under the Uniform Code of Military Justice.

b. At all times, vehicle owners retain the responsibility for towing, storage, disposal, and transport fees associated with their vehicle.

c. A vehicle is unregistered when the owner does not register the vehicle with Vehicle Registration Office or the vehicle’s registration is expired.

d. A vehicle is unclaimed when ownership can be determined, but the owner has not taken necessary steps to register or properly dispose of the vehicle.

e. A vehicle is abandoned when all attempts to establish ownership have been exhausted, or the ownership of the vehicle cannot be determined.

f. A vehicle is non-operational when it is properly registered as non-operational with Vehicle Registration Office, and it is awaiting parts or repair.

6. POLICY.

a. Prior to departing USAREUR, individuals will dispose of their USAREUR registered POV (s) in one of the following ways:

(1) Ship the POV at Government or personal expense.

(2) Sell or give the POV to another person with Status of Forces Agreement (SOFA) tax and customs privileges.

(3) Sell or give the POV to a person without SOFA tax and customs privileges after settlement of German tax or customs liabilities.

(4) Donate the vehicle to the MWR stripping yard after paying any required fees.

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b. A non-operational registration of a POV will not exceed three months. Any repair of a non-operational vehicle should be completed in this three month period. Renewing any vehicle's non-operational registration for longer than three (but no more than six) months, regardless of any change of owner, will be processed by the Vehicle Registration Office only when warranted by specific circumstances (deployment, delay in receipt of ordered parts) endorsed by the soldier's chain of command and approved by the BSB Commander or Deputy Commanding Officer.

(1) Owners of vehicles registered as non-operational will park the vehicles in the designated non-operational lots. Strip maps to the non-operational lots are available at the Vehicle Registration Office.

(2) Owners may access vehicles in the non-operational lots through the AST Manager's office.

(3) Owners using their vehicles for stripping parts will not park the vehicles in the non-operational lots. They must dispose of the vehicle IAW one of the procedures outlined in paragraph 6 a.

c. Once the PMO considers a vehicle unclaimed, and sends letters to the owner and lien holder, the owner and/or lien holder has 45 days to provide disposition instructions or the PMO will execute disposal procedures IAW this Policy Letter.

7. RESPONSIBILITIES.

a. AST:

(1) Control access to non-operational lots in respective areas of responsibility.

(2) Assist MPs in locating unregistered, unclaimed and abandoned POVs.

b. PMO:

(1) Act as the action office to administer this policy, process actions, and make disposition decisions concerning unclaimed and abandoned vehicles.

(2) Provide physical security support to lots holding POVs that are pending decisions.

(3) Direct MPs to check all installations and housing areas at least weekly for improperly registered vehicles.

(4) Mark vehicles that meet impound criteria with AETV-WE Form 155-R (Aug 95).
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(5) Complete part 2 of DD Form 2506 (Vehicle Impoundment Report), and sign block 13. Ensure MWR towing representative completes and signs block 16.

(6) Initiate DD Form 3975 (Military Police Report) IAW 190-1 for each vehicle towed to the impound lot. Maintain a file for these reports.

(7) Assign each vehicle a number and record it on the vehicle and in the vehicle information log book.

(8) Access VERINET to determine ownership of the vehicle. Depending on the location and status of the owner, proceed as follows:

(a) If the owner is temporarily absent (leave, TDY, deployed) do not process the vehicle for disposal. Ensure the owner's chain of command is aware of the situation.

(b) If the owner is still in the command, send a notification letter to him/her at the last known address. Send a copy of the letter to the appropriate commander. The notification letter will include a list of options for the owner.

(c) Determine if the owner designated an agent to dispose of the vehicle IAW AE Reg 190-1.

(d) If the vehicle is subject to a lien, send the lien holder a copy of the notification letter. Send the lien holder another letter requesting information about the owner's legal heirs, next of kin, or legal representative who may claim the vehicle. Keep a copy of all correspondence in the vehicle's files for two years.

(e) If the owner's legal heirs, next of kin, or legal representative claim the vehicle, they must provide notarized documentation showing legal claim. Ensure SJA reviews documentation for authenticity and validity.

c. DCA/CRD.

(1) Establish approved towing and disposal fees through the use of fair market value surveys in the civilian community.

(2) Tow identified vehicles to the BSB impound lot.

(3) Process vehicles donated by owners to the BSB MWR.

(4) Process and accept towing, storage, and/or disposal fees from vehicle owners.

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(5) Initiate collection of unpaid invoices for towing, storage, or disposal fees if the owner fails to make restitution by completing DD Form 139 (Pay Adjustment Authorization), and forwarding it to the servicing US Army Finance Unit.

d. Board of Officers.

(1) Consists of one or more commissioned officers, noncommissioned officers, or civilian employees appointed by the BSB Commander.

(2) Ensure the PMO makes diligent attempts to locate the owner or the owner's heirs, next of kin, or legal representative.

(3) Conduct an inventory of the vehicle, including its estimated fair market value. Ensure the inventory is in writing and dated.

(4) Release the vehicle for disposal.

e. DOL.

(1) Dispose of abandoned vehicles through the BSB Auto Stripping Yard. Disposal through the Auto Stripping Yard will be at the direction of the BSB DOL, and subject to acceptance by the Auto Stripping Yard Manager.

(2) Coordinate government expense shipment of authorized POVs with the owner or individual with power of attorney and authorization documents (orders). Assist and advise owners with personal expense shipments of POVs.

(3) Dispose of unclaimed vehicles IAW d. (1) above when the owner is no longer available. Charge costs associated with the disposal of the vehicle to the operating funds of the owner's assigned unit IAW AE Reg 190-1 App E.

f. SJA.

(1) Review legal claim documentation for authenticity and legality.

(2) Provide legal counsel and advice as required to ensure proper disposition.

g. Unit Commanders.

(1) Know the registration status of all soldiers' POVs, and ensure they are IAW AE 190-1.

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(2) Ensure soldiers adhere to clearance procedures for POVs when departing the unit IAW with AE Reg 190-1.

(3) Require soldiers to properly dispose of vehicles that are not authorized registration IAW AE Reg 190-1.

h. Individuals.

(1) Register vehicles IAW AE Reg190-1.

(2) Clear the Vehicle Registration Office prior to departing the unit. Provide documentation of vehicle disposal using one of the approved methods, or appoint an agent UAW AE Reg 190-1 to dispose of the vehicle.

(3) Pay for all towing, storage, disposal, transport, and shipping fees as required.

8. Proponent for this Policy Letter is the PMO at 468-1580, or DOL at DSN 468-7658.

JOHN G. REILLY
LTC, SF
Commanding

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